

EXHIBIT 4

DECLARATION OF JOHN KLOCKENGA

I, John Klockenga, declare as follows:

1. I have personal knowledge of the facts contained in this Declaration, and they are true to the best of my knowledge and belief. I am over 18 years old and competent to testify to the following.

2. I farm land in Dix, Illinois.

3. I first purchased Nutriplant™ products in the summer of 2018 for use on my 2019 crops. Ben Buckwalter cold-called me and offered to sell me Nutriplant™ products. He also mentioned the name Yield Nation, which I understood to be the company he worked with to sell Nutriplant™ products. I purchased one 30-gallon barrel of Nutriplant™ AG foliar treatment, a spray fertilizer, and Nutriplant™ SD seed treatment, which is meant to help seeds flow through a planter while adding nutrients. I did not purchase more because I wanted to be sure the product performed as Mr. Buckwalter had advertised.

4. The Nutriplant™ AG foliar spray arrived in a blue barrel with a Nutriplant™ label on it. I had excellent results when using the Nutriplant™ foliar spray on a portion of my 2019 crops. I was happy with both products and they worked as I expected them to.

5. Mr. Buckwalter contacted me again in late 2019 to offer more Nutriplant™ products for sale. We talked about the performance of the product he sold me and I told him I wanted to purchase more. Mr. Buckwalter represented to me that he was selling more Nutriplant™ AG foliar spray. Because the Nutriplant™ product performed so well, I purchased a 300-gallon tote, essentially a large, square barrel, of the Nutriplant™ AG foliar spray.

6. Mr. Buckwalter gave me an invoice for the product I purchased in November 2019. The invoice was from Yield Nation, the company through which Mr. Buckwalter had sold

me Nutriplant™ products the year before. The invoice indicates in Mr. Buckwalter's handwriting that Yield Nation was selling me "Nutriplant™ AG" and it also had a picture of the blue Nutriplant™ barrel I had purchased before. A true and correct copy of that invoice is attached as **Exhibit A**. I paid Yield Nation for the foliar spray and waited for it to be delivered.

7. When the foliar spray arrived, I stored the tote in my shed until I needed to use it. I did not make note of the label at the time, but later saw that the label said "Yield Nation" rather than Nutriplant™. A true and correct photograph of the tote I received in 2020 with the "Yield Nation" label is attached as **Exhibit B**.

8. My first indication that something was different about the foliar spray was that I could see through the tote that it had separated, with the heavier particles on the bottom and the lighter liquids on top. I had to agitate the spray in an attempt to mix it, but I could never get it back into suspension. A true and correct photograph of the heavier particles left behind by the Yield Nation product in the tote is attached as **Exhibit C**.

9. The foliar spray caused me headaches all season. When attempting to apply the spray, it clogged screens, filters, and sprayer nozzles. Repeatedly stopping to clean those parts cost me critical time.

10. I contacted Mr. Buckwalter to tell him the product looked different and separated. Mr. Buckwalter then shipped me a mixer. Even using that mixer was not enough to keep the foliar spray in suspension. It almost immediately settled out.

11. I found that to use the foliar spray at all, I had to agitate the tote, then mete out the spray into 2.5-gallon jugs and keep agitating them.

12. Although I found the product difficult and time consuming to use, I continued to use it because I believed it was Nutriplant™, and I liked the way Nutriplant™ performed the

prior year. In fact, I believed the product was still Nutriplant™ Ag foliar spray because Mr. Buckwalter gave me the impression that the product was simply different that year. He told me the company had left out an ingredient that masked some of the separation in the foliar spray.

13. At the time, I believed the product was still Nutriplant™ based on my course of dealing with Mr. Buckwalter and Yield Nation and Mr. Buckwalter's representations to me.

14. I later learned that the foliar spray was not Nutriplant™ product at all. I would not have purchased 300 gallons of the product had I known that fact at the time.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 4, 2021



John Klockenga



SALES RECEIPT

YIELDNATION.COM

Sales Rep: Ben Duckwaller REDACTED
 Phone: [REDACTED]
 Email: [REDACTED]

Sale To: Klackenaa Farms LLC
 D.S. I.L. 62830
 [REDACTED]

PAID

Exhibit

A



Ensure maximum crop yield
 with this liquid foliar
 nutritional supplement.



Provide essential nutrients which activate
 crucial enzymes that optimize metabolic
 pathways necessary for proper seedling
 growth and enhanced vigor.



For better weed control, for hard-
 to-penetrate soils, for many
 farming applications.

PAYMENT METHOD		DATE OF SALE		MISC.	
Check		11-16-19		#8121A	
QTY	ITEM	DESCRIPTION	UNIT PRICE	DISCOUNT	LINE TOTAL
1	300gal.	Nutriplant AG	\$12.00/acre	-3.50/acre	\$20,400
			TOTAL DISCOUNT		
			SUBTOTAL		
			SALES TAX		
			TOTAL		\$20,400
					\$4,000
					\$16,400

Please make check payable to Yield Nation

Thank you for your business!



